

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES AND/OR SUBMISSION OF APPEAL BRIEF</b>		Attorney Docket No. EIC-001
In re Application of Gilbert		
Application Serial Number 09/352,976		
Filed: July 14, 1999		
Group Art Unit: 1771	Examiner: Chang, Victor S.	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated <u>January 31, 2006</u> , rejecting the following claims: <u>1, 4-6, 8, 9, 14-26, 28-30, 32 and 66-80.</u>		
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ 500.00
<input type="checkbox"/> Fee for Brief in support of appeal (37 CFR 41.20(b)(2))		\$ 500.00
<input checked="" type="checkbox"/> Applicant claims small entity status under 37 CFR 1.27, therefore, the fee(s) shown above is/are reduced by half, and the resulting fee is:		\$ 250.00
<input type="checkbox"/> Appeal Brief enclosed in triplicate.		
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.		
<input type="checkbox"/> The Commissioner is hereby authorized to charge the required fee to Deposit Account No. 07-1700. Enclosed is a copy of this sheet.		
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 07-1700.		
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) is enclosed.		
<input checked="" type="checkbox"/> Return receipt postcard enclosed.		
I am the <input type="checkbox"/> applicant		
<input type="checkbox"/> assignee of record of the entire interest.		
<input checked="" type="checkbox"/> attorney or agent of record.		
<input type="checkbox"/> attorney or agent under 37 CFR 1.34.		
Registration number if acting under 37 CFR 1.34. _____		
<b>CORRESPONDENCE ADDRESS</b>		<b>SIGNATURE BLOCK</b>
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414		Respectfully submitted,  Steven J. Frank Atty/Agent for Applicant(s) Goodwin Procter LLP Exchange Place Boston, MA 02109

VER 10/03

04/14/2006 MWOLDGE1 00000046 09352976

01 FC:2401

250.00 OP



# TRANSMITTAL FORM

Express Mail Mailing Label No. EV630986019US

Application Serial Number	09/352,976
Filing Date	July 14, 1999
First Named Inventor	Gilbert
Group Art Unit	1771
Examiner Name	Chang, Victor S.
Attorney Docket No.	EIC-001
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application	<input checked="" type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets _____]	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Petition for Extension of Time	<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal	<input type="checkbox"/> Status Inquiry
<input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations	<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)	<input checked="" type="checkbox"/> Return Receipt Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8
<input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application	<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8
	<input type="checkbox"/> Small Entity Statement	<input type="checkbox"/> Additional Enclosure(s) (please identify below)
	<input type="checkbox"/> CD(s) for large table or computer program	
	<input type="checkbox"/> Amendment After Allowance	
	<input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Goodwin Procter LLP  
Exchange Place  
Boston, MA 02109  
Tel. No.: (617) 570-1000  
Fax No.: (617) 523-1231  
Customer No. 051414

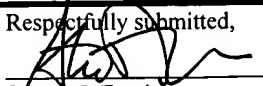
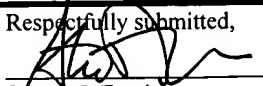
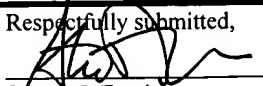
## SIGNATURE BLOCK

Date: April 12, 2006  
Reg. No. 33,497  
Tel. No.: (617) 570-1241  
Fax No.: (617) 523-1231

Respectfully submitted,

Steven J. Frank  
Atty/Agent for Applicant(s)  
Goodwin Procter LLP  
Exchange Place  
Boston, MA 02109

<b>FEE TRANSMITTAL</b> <b>FY 2006</b> <b>APR 12 2006</b>	Complete if Known	
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<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																																																		
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No.: (617) 570-1000  Fax No.: (617) 523-1231  Customer No. 051414 </td> <td colspan="2"> Respectfully submitted,    Date: April 12, 2006  Reg. No.: 33,497  Tel. No.: (617) 570-1241  Fax No.: (617) 523-1231  Steven J. Frank  Attorney for the Applicants  Goodwin Procter LLP  Exchange Place  Boston, MA 02109 </td> </tr> </tbody></table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte reexamination		120	60	Extension for reply within first month		450	225	Extension for reply within second month		1020	510	Extension for reply within third month		1590	795	Extension for reply within fourth month		2160	1080	Extension for reply within fifth month		500	250	Notice of Appeal	250.00	500	250	Filing a brief in support of an appeal		1000	500	Request for oral hearing		400	400	Petitions to the Commissioner (Gp. 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Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414		Respectfully submitted,  Date: April 12, 2006 Reg. No.: 33,497 Tel. No.: (617) 570-1241 Fax No.: (617) 523-1231 Steven J. Frank Attorney for the Applicants Goodwin Procter LLP Exchange Place Boston, MA 02109																																																																																																																																																																																																																		